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May 15, 2023

Hon. Charles Eskridge
United States District Judge
Bob Casey United States Courthouse
515 Rusk Avenue
Houston, Texas 77002

Re: United States v. LaDonna Wiggins,
Docket No. 4:21-cr-66;
Letter Request for Reconsideration of Motion to Modify Terms of
Pretrial Release

Dear Judge Eskridge:

I write on behalf of my client, LaDonna Wiggins ("Ms. Wiggins"), defendant in the above-referenced matter, in follow up to the May 12, 2023 hearing before your Honor, in order to request reconsideration of the Court's May 3, 2023 order ("Order") (ECF No. 183) denying the Defendant's motion to modify the terms of pretrial release ("Motion") (ECF No. 179), for the reasons set forth herein. The Defense respectfully requests that the Court consider this letter memorandum in lieu of a more formal submission.

On April 21, 2023, the Defense submitted its Motion requesting that the terms of Ms. Wiggins' pretrial release be modified to permit her to travel as an adult chaperone with her teenaged daughter to France from May 29, 2023 through June 6, 2023 for a guided educational tour for which her daughter may be able to receive college credit. Ms. Wiggins' proposed itinerary was included as an exhibit to the Motion.

On April 27, 2023, the Government submitted a response ("Response"), in which it not only opposed the Motion but also requested that Ms. Wiggins' pretrial release be revoked and that she be detained pending trial due to an error made on an unverified complaint prepared and filed by Ms. Wiggins in a separate pro se civil matter, in which she stated that she was "out of the country on October 20, 2021." ECF No. 180.

In this regard, the Defense notes that Ms. Wiggins' statement that she was "out of the country on October 20, 2021" was merely a typographical mistake which she made on a form and was neither accurate nor intentional. As noted in the Court's

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Order, "It seems quite unlikely that Defendant was actually able to travel internationally on the referenced date", given that her passport was on that date, and continues to be, in possession of Pretrial Services in accordance with the terms of her pretrial release in this matter.

This Court's Order was entered on May 3, 2023, denying both the Defendant's Motion to modify the terms of Ms. Wiggins' pretrial release, as well as denying the Government's motion that Ms. Wiggins be detained pending trial.

During the May 12, 2023 hearing before this Court on a separately pending motion to suppress in this matter, the Defense requested reconsideration of the Court's Order denying the Motion to modify the terms of Ms. Wiggins' pretrial release. This letter is submitted in supplement to that oral request.

The Defense submits that the Court reconsider its denial of the Motion for the following reasons:

1. Ms. Wiggins has advised that her daughter is an extraordinary fifteen (15) year old flute player who has taken up French this year and was selected among her classmates to participate in this educational trip to France, for which her daughter has prepared for the past seven (7) months. Moreover, her daughter's father and grandmother are unavailable to chaperone this trip, leaving only Ms. Wiggins. Accordingly, the Defense respectfully requests that the Court reconsider its decision in order to allow Ms. Wiggins' daughter to participate in this opportunity.
2. Ms. Wiggins has fully complied with all of the terms of her pretrial release to date in this matter, including, but not limited to a Court-approved international business trip to Croatia from July 2, 2021 through July 11, 2021. Ms. Wiggins also took a domestic business trip to New York City from May 27, 2021 through May 30, 2021, and a recent domestic trip to New York City from April 13, 2023 through April 17, 2023, with Probation Officer Schmitt's approval. In addition, Ms. Wiggins has signed a \$100,000.00 bond to secure her pretrial release, which would ensure her return to the Southern District of Texas should permission for her to travel be granted.
3. It is further noted that the Government raised concerns during the May 12, 2023 hearing regarding Ms. Wiggins' compliance with Pretrial Services and is looking further into this matter. Ms. Wiggins has made clear that she has been in full compliance throughout the course of the two (2) years and two (2) months since she was released on bond in this matter, in dealing with four (4) separate Pretrial Services Officers to

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whom she has reported during the course of this matter, and has at all times fully complied with their instructions.

4. Ms. Wiggins is willing to take any further precautions that the Court deems necessary if this request is granted, such as communicating on a daily basis with Pretrial Services via telephone or videoconference, as well as any other conditions which the Court deems appropriate.
5. Should this request be granted, Ms. Wiggins has every incentive to fully comply with the terms of the modified release in order to participate in her trial in this matter. Ms. Wiggins has attended every court appearance in the more than two (2) years since this matter was commenced and has, at all times, remained actively engaged in the preparation of her defense. Moreover, Ms. Wiggins' teenage son graduates from high school this year and plans to play football in Iowa this Fall, which Ms. Wiggins would not miss, pending any further developments in this matter and permission for her to travel to Iowa as appropriate at that time. Each of these factors further evidence Ms. Wiggins' strong incentive to comply with the modified terms of pretrial release, should this request be granted.

Accordingly, for these reasons, we respectfully request that the Court reconsider its May 3, 2023 Order and grant the Defendant's Motion to modify the terms of her pretrial release to permit her to accompany her teenage daughter on an educational trip to France from May 29, 2023 through June 6, 2023 and to permit the temporary return of Ms. Wiggins' passport for this purpose.

Thank you for every consideration of this request.

Respectfully submitted,


PATRICK A. MULLIN

PAM/cs

Encls.

Via ECF.

cc: Ms. Zahra Fenelon, AUSA ([via ECF and Email to Zahra.Fenelon@usdoj.gov](mailto:Zahra.Fenelon@usdoj.gov));
Mr. Rodolfo Ramirez, AUSA ([via ECF and Email to Rodolfo.Ramirez@usdoj.gov](mailto:Rodolfo.Ramirez@usdoj.gov));
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